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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,864	03/13/2001	Theodore Simon	ADM-26B	3406

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EXAMINER

WOO, STELLA L

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,864

Applicant(s)

SIMON ET AL.

Examiner

Stella L. Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-441 is/are pending in the application.
- 4a) Of the above claim(s) 1-88, 130-236, 272-375 and 417-441 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☒ Claim(s) See Continuation Sheet is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4, 5, 7</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims rejected are 89-92, 104-105, 109-110, 115, 118-129, 2370240, 242-243, 246-247, 250-251, 254-255, 259, 261-271, 376-379, 381-382, 386-387, 391-392, 396-397, 402, 404-416.

Continuation of Disposition of Claims: Claims objected to are 93-103, 106-108, 111-114, 116, 117, 241, 244, 245, 248, 249, 252, 253, 256-258, 260, 380, 383-385, 388-390, 393-395, 398-401 and 403.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of the characterization of Group III in Paper No. 8 is acknowledged. The traversal is on the grounds that the Group III claims are not limited to electronic mail. The examiner agrees. The claims of Group III are drawn to a security system with a data network functionality.

Applicant further traverses the inclusion of claims 130-153 in Group III. The examiner agrees. Claims 130-153 belong in Group IV. Therefore, Group III includes claims 89-129, 237-271, 376-416.

Regarding Applicant's traversal that claims 120, 121, 126, 129, 263, 264, 269, 271, 407, 408, 413 and 416 link Groups III and IV, the examiner does not find any of these claims allowable. Therefore, the separation of Groups III and IV stands.

2. Claims 1-88, 130-236, 272-275, 417-441 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 8.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 89-92, 104-105, 109-110, 115, 118-119, 122-125, 127-128, 237-240, 242-243, 246-247, 250-251, 254-255, 259, 261-262, 265-268, 270, 376-379, 381-382, 386-387, 391-392, 396-397, 402, 404-406, 40-412, 414-415 are rejected under 35 U.S.C. 102(e) as being anticipated by Tsumpes (US 6,442,241 B1).

Regarding claims 89, 237, 376, Tsumpes discloses a security system (event notification system) for monitoring a user premises (col. 4, lines 56-59), said system comprising:

at least one sensor (sensor 11);

at least one alarm output device (dialer 14, DSP 17, transceiver 19 or 20);

at least one user control interface (central monitoring station 13); and

a system controller (controller 12);

wherein at least one of said at least one user control interface is connected to an external data network (central monitoring station 13 is connected to the Internet via ISP 24 for sending and receiving data; col. 5, lines 46-54; col. 8, lines 45-50).

Regarding claims 90, 92, 238, 240, 377, 379, 414, Tsumpes provides for sending an event message via email (col. 6, lines 18-23, 50-51; col. 7, lines 14-20, 42-43).

Regarding claims 91, 125, 128, 239, 268, 378, 404, 412, 415, a subscriber enters commands to the central monitoring station 13 via the Internet website 24 or IVR 25 (col. 6, lines 5-58).

Regarding claims 104-105, 109-110, 115, 242-243, 246-247, 250-251, 254-255, 259, 381-382, 386-387, 391-392, 396-397, 402, authorized users are identified via a PIN number (col. 5, line 66 – col. 6, line 2; col. 7, lines 29-65).

Regarding claims 118-119, 122-124, 127, 261-262, 265-267, 270, 405-406, 409-411, plural contact persons are notified via a plurality of communication channels (col. 6, lines 10-31).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 120-121, 126, 129, 263-264, 269, 271, 407-408, 413, 416 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumpes in view of Motoyama et al. (US 2003/0195982 A1).

Tsumpes differs from claims 120-121, 126, 129, 263-264, 269, 271, 407-408, 413, 416 in that it does not specify a firewall. However, Motoyama et al. teach the desirability of including a firewall between the Internet and a security system (page 3, paragraph 55; page 5, paragraph 71) such that it would have been obvious to an artisan of ordinary skill to incorporate a firewall, as taught by Motoyama et al., within the system of Tsumpes in order to prevent access to the security system from unauthorized Internet users.

Allowable Subject Matter

7. Claims 93-103, 106-108, 111-114, 116-117, 241, 244-245, 248-249, 252-253, 256-258, 260, 380, 383-385, 388-390, 393-395, 398-401, 403 are objected to as being dependent upon a

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rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

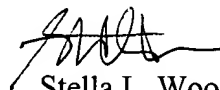
Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Petite shows a monitoring system which communicates notification messages via email.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (703) 305-4395. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stella L. Woo
Primary Examiner
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